

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

WENDY PRICE,)	Civil Action No.: 4:09-cv-2708-JMC-TER
)	
Plaintiff,)	
)	
-vs-)	
)	ORDER
)	
TOWN OF ATLANTIC BEACH,)	
CHAIRWOMAN ALICE GRAHAM,)	
CHIEF RANDY RIZZO, COUNCIL)	
WOMAN CHARLENE TAYLOR,)	
COUNCILWOMAN JOSEPHINE ISOM,)	
COUNCILMAN JAKE EVANS,)	
COMMISSIONER LINDA BOOKE,)	
CLERK CHERYL PEREIRA, MANAGER)	
WILLIAM BOOKER, and DONNELL)	
THOMPSON,)	
)	
Defendants.)	
_____)	

Presently before the Court is Defendants' Motion to Compel (Document # 40). Defendants seek an order either compelling Plaintiff to produce a written report for her expert, Benny Webb, as required by Rule 26(a)(2), Fed.R.Civ.P., or excluding Benny Webb as an expert witness in this case. A Response to the Motion was due on March 7, 2011. However, Counsel for Plaintiff was suspended from the practice on that same date and the case was stayed during the pendency of his suspension. The stay was lifted on July 8, 2011. Plaintiff has not filed a Response to this Motion.

Plaintiff identified Webb as an expert witness in her Answers to Interrogatories but has not provided a written report as required by Rule 26(a)(2), Fed.R.Civ.P. Defendants' Motion to Compel (Document # 40) is **GRANTED**. Plaintiff must serve on Defendants the written report of her expert witness, Benny Webb, within fourteen (14) days of the date of this Order. Failure to serve a written report in compliance with this Order and Rule 26(a)(2), Fed.R.Civ.P., may result in sanctions

pursuant to Rule 37, Fed.E.Civ.P., including, but not limited to, the exclusion of Webb as an expert witness in this case.

IT IS SO ORDERED.

s/Thomas E. Rogers, III
Thomas E. Rogers, III
United States Magistrate Judge

August 17, 2011
Florence, South Carolina